

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KENNETH L. MOILES,

Plaintiff,

Case No. 1:11-CV-1088

v.

Honorable Robert Holmes Bell

LOU ROUBAL, et al.,

Defendants.

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**ORDER APPROVING AND ADOPTING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

On October 24, 2011, Magistrate Judge Joseph G. Scoville issued a Report and Recommendation ("R&R") (Dkt. No. 4) recommending that Plaintiff's civil rights complaint be dismissed pursuant to 28 U.S.C. § 1915(e)(2) for failure to state a claim upon which relief can be granted. (Dkt. No. 4.) Plaintiff filed an amended complaint on November 4, 2011. (Dkt. No. 5.) On January 13, 2012, Magistrate Judge Scoville issued a supplemental report and recommendation recommending that Plaintiff's complaint be dismissed for lack of subject matter jurisdiction. (Dkt. No. 6.) Plaintiff was granted an extension of time to file objections to the supplemental report and recommendation. (Dkt. No. 8.) No objections have been filed, and the deadline for doing so has expired. The Court has reviewed the matter and concludes that the R&R correctly analyzes the issues and makes a sound recommendation. Accordingly,

IT IS HEREBY ORDERED that the Magistrate Judge's January 13, 2012, Supplemental Report and Recommendation (Dkt. No. 6) is **APPROVED** and **ADOPTED** as the opinion of the Court.

IT IS FURTHER ORDERED that Plaintiff's complaint is **DISMISSED** for lack of subject matter jurisdiction.

Dated: February 28, 2012

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE